

Message Text

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44

ACTION EB-07

INFO OCT-01 NEA-10 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 FAA-00 PM-04 H-02 L-03 NSC-05

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FM AMCONSUL KARACHI

TO SECSTATE WASHDC 9234

INFO AMEMBASSY ISLAMABAD

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E. O. 11652: N/A

TAGS: EAIR, PK

SUBJ: CIVAIR - TRANSIT RIGHTS OVER PAKISTAN

REF STATE 221661

1. PRIOR TO ECON OFFICER'S INITIAL COURTESY CALL ON DIRECTOR GENERAL OF CIVIL AVIATION M. R. RIZVI, SEPTEMBER 23, PAA REPRESENTATIVE JOHN PENNING HAD RECEIVED, AS A "VERY SPECIAL CASE," PERMISSION FOR THE TWO REMAINING 747 OVERFLIGHTS. AS OF NOW PENNING DOES NOT KNOW OF ANY OTHER FLIGHTS BEING PLANNED.

2. ON BASIS OF CONVERSATIONS WITH PENNING FOLLOWING APPEARS TO BE THE BACKGROUND. GOP REQUIREMENT THAT NON-SCHEDULED FLIGHTS OVER PAKISTAN MAKE TECHNICAL LANDING IS OF LONG STANDING. IN PAST PAA, AND APPARENTLY OTHER INTERNATIONAL CARRIERS, HAVE COMPLIED WITH REQUIREMENT AND IN SOME CASES

WERE SUCCESSFUL IN OBTAINING EXCEPTIONS. ON AVERAGE, ACCORDING TO PENNING, PAA HAS HAD ONE OR TWO OVERFLIGHTS A YEAR WHICH HAVE RAISED PROBLEMS.

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3. IN COURSE OF COURTESY CALL ON DIRECTOR GENERAL OF CIVIL AVIATION ECON OFFICER RAISED PAA'S CONCERN OVER FUTURE OVERFLIGHTS AND MENTIONED DEPARTMENT'S VIEW THAT REQUIREMENT FOR TECHNICAL LANDING APPEARED INCONSISTENT WITH GOP OBLIGATIONS UNDER INTERNATIONAL TRANSIT AGREEMENT OF 1944. DIRECTOR'S REPLY WAS "THEY HAVE ASKED YOU TO ASK THE WRONG QUESTION. THIS REQUIREMENT FOR TECHNICAL LANDINGS FOR NON-SCHEDULED OVERFLIGHTS HAS BEEN IN EFFECT SINCE INDEPENDENCE AND IS FULLY CONSISTENT WITH ARTICLE 5 GOVERNING NON-SCHEDULED FLIGHTS."

4. COMMENT: BECAUSE PAA DOES NOT FACE AN IMMEDIATE PROBLEM AND BECAUSE THE REPORTING OFFICER WAS NOT IN A POSITION TO DISCUSS THE FINE POINTS OF THE CHICAGO CONVENTION THE SUBJECT WAS NOT PURSUED. PARTICULARLY IN VIEW OF THE LONG AND APPARENTLY NEVER CHALLENGED EXISTENCE OF THIS GOP REQUIREMENT, THE DEPARTMENT'S GUIDANCE FOR ANY FURTHER ACTION WOULD BE APPRECIATED. MR. PENNING HAS BEEN INFORMED ABOUT THE MEETING.
MOORE

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